REQUEST FOR FILING A CONTINUING PATENT APPLICATION UNDER 37 CFR § 1.53(b)(1)

Case No.	ANTICIPATED CLASSIFICATION OF THIS APPLICATION		PRIOR APPLICATION EXAMINER	ART UNIT
	CLASS	SUBCLASS		
10519/30				

Address to:
Commissioner for Patents
Washington, D. C. 20231

This is a request for filing a ☒ continuation ☐ divisional application under 37 CFR § 1.53(b)(1), of pending prior application number 09/714,440, filed on November 15, 2000, entitled VERTICALLY STACKED FIELD PROGRAMMABLE NONVOLATILE MEMORY AND METHOD OF FABRICATION.

1. ☒ Copy Of the Prior application, including ___24___ sheets of drawings, ___64___ pages of Application (including title page), and the following Appendices N/A.

2. ☒ Copy of the Declaration filed in the Prior application.

3. ☒ PTO Form 1449 and Information Disclosure Statement.

CLAIMS	(1) FOR	(2) NUMBER FILED	(3) NUMBER EXTRA	(4) RATE	(5) CALCULATIONS
	TOTAL CLAIMS (37 CFR 1.16(c))	21 - 20 =	1	x $ 18 =	$18
	INDEPENDENT CLAIMS (37 CFR 1.16(b))	3 - 3 =	0	x $ 80 =	$0
	MULTIPLE DEPENDENT CLAIMS (if applicable) (37 CFR 1.16(d))			+ $270 =	$ 0
			BASIC FEE (37 CFR 1.16(a))		$ 710
			Total of above Calculations =		$728
			Reduction by 50% for filing by small entity (Note 37 CFR 1.9, 1.27, 1.28)		$
			TOTAL =		$728

4. ☐ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27

    ☐ is enclosed.

    ☐ was filed in prior application number _____ and such status is still proper and desired (37 CFR 1.28(a)).

5. ☒ The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

6. ☒ Enclosed is a check for $ 728 to cover the filing fees.

7. ☒ Cancel in this application original claims 1 to 94 of the prior application and otherwise enter the attached preliminary amendment before calculating the filing fee. (At least one original independent claim must be retained for filing purposes).

8. ☒ The inventor(s) of the invention being claimed in this application is(are): Vivek Subramanian and James M. Cleeves.

9. ☒ This application is being filed by less than all the inventors named in the prior application. In accordance with 37 CFR 1.63(d)(2), the Commissioner is requested to delete the name(s) of the following person or persons who are not inventors of the invention being claimed in this application: Mark G. Johnson, Thomas H. Lee, and P. Michael Farmwald.

10. ☒ Amend the specification by inserting before the first line the sentence: "This application is a ☒ continuation ☐ division of application number 09/714,440, filed November 15, 2000, pending, which is a continuation of

application number 09/469,658, filed December 22, 1999, now U.S. Patent No. 6,185,122, which is a divisional of application number 09/192,883, filed November 16, 1998, now U.S. Patent No. 6,034,882, which is hereby incorporated by reference herein."

11. ☐ New formal drawings are enclosed.

12. ☐ Priority of foreign application number _____, filed on _____ in _____ is claimed under 35 U.S.C. 119.

    ☐ The certified copy has been filed in prior application number _____, filed

13. ☒ A preliminary amendment is enclosed.

14. ☐ The prior application is assigned of record to _____.

15. ☒ Also enclosed: Cited References (24).

16. ☐ The power of attorney in the prior application is to:_____ and other attorneys at the firm of BRINKS HOFER GILSON & LIONE.

    a. ☒ The power appears in the original papers in the prior application.

    b. ☐ Since the power does not appear in the original papers, a copy of the power in the prior application is enclosed.

    c. ☒ Address all future correspondence to: (may only be completed by applicant, or attorney or agent of record.)

8/24/01

Date

BRINKS HOFER GILSON & LIONE
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PATENT TRADEMARK OFFICE

Signature
Name: Jasper W. Dockrey
Reg. No. 33,868

☐ Inventor(s)
☐ Assignee of complete interest
☒ Attorney or agent of record
☐ Filed under 37 CFR 1.34(a)
    Registration Number if acting under 37 CFR 1.34(a): _____.

- 2 -